

---

**SUBSTITUTE SENATE BILL 5666**

---

**State of Washington**

**59th Legislature**

**2005 Regular Session**

**By** Senate Committee on Human Services & Corrections (originally sponsored by Senators Stevens, Hargrove, McAuliffe, Carrell, Brandland, Delvin, Roach, Rasmussen and Kohl-Welles)

READ FIRST TIME 02/28/05.

1 AN ACT Relating to information sharing in child dependency cases;  
2 amending RCW 13.34.350; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds that to aid in the  
5 prevention of tragic deaths of children in the child welfare system,  
6 those responsible for making placement decisions in cases of child  
7 abuse or neglect should have the relevant evidence available to them to  
8 aid them in making placement decisions that will best protect the  
9 safety and welfare of the child.

10 **Sec. 2.** RCW 13.34.350 and 2001 c 52 s 2 are each amended to read  
11 as follows:

12 (1) In order to facilitate communication of information needed to  
13 serve the best interest of any child who is the subject of a dependency  
14 case filed under this chapter, the department of social and health  
15 services shall, consistent with state and federal law governing the  
16 release of confidential information, establish guidelines, and shall  
17 use those guidelines for the facilitation of communication of relevant

1 information among divisions, providers, the courts, the family,  
2 caregivers, caseworkers, and others.

3 (2) In any case in which a child is removed from his or her home  
4 based on allegations of child abuse or neglect, the following  
5 information or documents must be provided in their entirety to persons  
6 listed in subsection (3) of this section, when those individuals are  
7 involved in a placement decision:

8 (a) Health care information regarding the child, including but not  
9 limited to physician or other medical professional records, reports,  
10 notes, or letters regarding the child;

11 (b) Substance abuse treatment records regarding the parent or the  
12 child that may be relevant to the placement decision and then only if  
13 treatment was ordered by the court or the subject of the record  
14 consents to the release, and the release is consistent with state and  
15 federal law;

16 (c) Mental health treatment records of the parent or the child that  
17 may be relevant to the placement decision, if treatment was ordered by  
18 the court or the subject of the record consents to the release, and the  
19 release is consistent with state and federal law;

20 (d) Other information or documents relevant to the placement  
21 decision.

22 (3) The information and documents listed in subsection (2) of this  
23 section must be made available, in their entirety, to the following  
24 persons, when applicable, prior to any review hearing or permanency  
25 planning hearing in which any party is recommending that a child be  
26 returned home:

27 (a) Any caseworker assigned to the case;

28 (b) Any supervisor of a caseworker assigned to the case;

29 (c) Any court hearing a matter relating to the dependency of the  
30 child;

31 (d) Any member of a child protection team reviewing the case;

32 (e) Any guardian ad litem or legal counsel for the child;

33 (f) A parent, guardian, or custodian of the child or to the  
34 parent's, guardian's, or custodian's counsel.

--- END ---